

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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ROSALIND SEARCY,

Plaintiff,

V.

ESURANCE INSURANCE COMPANY,

Defendant.

Case No. 2:15-cv-00047-APG-NJK

## ORDER REJECTING PROPOSED JOINT PRETRIAL ORDER

(ECF No. 96)

10 The parties' proposed Joint Pretrial Order (ECF No. 96) does not comply with Local Rule  
11 16-4. For example, Local Rule 16-4(b)(8) requires the parties to list "all exhibits that will be  
12 offered in evidence by the parties at the trial. The lists or schedules must describe the exhibits  
13 sufficiently for ready identification . . ." In the proposed pretrial order, the plaintiff lists several  
14 thousands of pages of documents, usually in large blocks of pages that do not identify the specific  
15 document that will be offered. *See, e.g.*, ECF No. 96 at 18:21 (listing over 3300 pages as  
16 "DEFT'S 1ST SUPPLEMENT TO INITIAL DISCLOSURES BATES ESUR001-ESUR3317").  
17 Not only does this fail to "describe the exhibits sufficiently for ready identification," it is difficult  
18 to believe that the plaintiff intends to offer at trial all 3300 pages, in addition to the many  
19 thousands of other pages the plaintiff lists in the pretrial order. This problem infects nearly the  
20 entirety of the plaintiff's exhibit list. The defendant's exhibit list is similarly defective (*see, e.g.*,  
21 *Id.* at 24:25 (listing 691 pages as "Deposition Notebook from Bryce Buckwalter, Esq.  
22 (BUCKWALTER- 01009-01700"))), albeit not to the same magnitude. Such vague, broad, block  
23 designations also make it impossible for the other party to properly object to the proposed  
24 exhibits as required by the local rule.

25       Similarly, both parties list several deposition transcripts they intend to “lodge,” without  
26 “designating the portions of the deposition to be offered” as required by Local Rule 16-4(b)(10).  
27       Again, this makes it impossible for the other party to properly object as required by Local Rule

1 16-4(b)(11). Parties cannot “reserve the right to object to all or part of the depositions at trial,” as  
2 they attempt to do here.

3 It appears the parties’ respective counsel simply listed all possible documents and  
4 witnesses in the pretrial order, with the intent to later go back and decide what to use at trial. But  
5 Local Rules 16-3 and 16-4 require parties to do more. Those rules are designed to streamline trial  
6 preparation and presentation, and to foster settlement. The parties are to actually think about their  
7 trial strategy and decide how they intend to present their case before they “personally discuss  
8 settlement and prepare and file a proposed joint pretrial order.” LR 16-3(b). The proposed  
9 pretrial order in this case suggests that the parties have not done that.

10 IT IS ORDERED that the parties’ Joint Pretrial Order (**ECF No. 96**) is REJECTED. The  
11 parties shall thoroughly think about their respective cases and trial strategies and confer as  
12 discussed above. After that, the parties shall submit a proposed joint pretrial order that complies  
13 with Local Rules 16-3 and 16-4 by June 23, 2017.

14 DATED this 23rd day of May, 2017.



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16 ANDREW P. GORDON  
17 UNITED STATES DISTRICT JUDGE  
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